

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
COURT CASE NUMBER: 5:20-CV-00153; NOTICE OF FORFEITURE ACTION**

Pursuant to 19 U.S.C. § 1595a, the United States filed a verified Complaint for Forfeiture against the following property:

13,900 COVID-19 Test Kits which was seized from Clear Choice ER on April 02, 2020 at 7105 N. Bartlett Ave, #101, located in Laredo, TX

987 COVID-19 Test Kits which was seized from Joseph Ramon III on April 02, 2020 at 5500 Mile 7 Rod, located in Mission, TX

Any person claiming a legal interest in the Defendant Property must file a verified Claim with the court within 60 days from the first day of publication (September 18, 2020) of this Notice on this official government internet web site and an Answer to the complaint or motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days thereafter. 18 U.S.C. § 983(h)(1) permits a court to impose a civil fine on anyone asserting an interest in property which the court determines was frivolous.

The verified Claim and Answer must be filed with the Clerk of the Court, 1300 Victoria St., Laredo, TX 78040, and copies of each served upon Assistant United States Attorney Mary Ellen Smyth, 11204 McPherson Road, Ste. 100A, Laredo, TX 78045, or default and forfeiture will be ordered. See, 18 U.S.C. § 983(a)(4)(A) and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

The government may also consider granting petitions for remission or mitigation, which pardon all or part of the property from the forfeiture. A petition must include a description of your interest in the property supported by documentation; include any facts you believe justify the return of the property; and be signed under oath, subject to the penalty of perjury, or meet the requirements of an unsworn statement under penalty of perjury. See 28 U.S.C. Section 1746. For the regulations pertaining to remission or mitigation of the forfeiture, see 28 C.F.R. Sections 9.1 - 9.9. The criteria for remission of the forfeiture are found at 28 C.F.R. Section 9.5(a). The criteria for mitigation of the forfeiture are found at 28 C.F.R. Section 9.5(b). The petition need not be made in any particular form and may be filed online or in writing. You should file a petition not later than 11:59 PM EST 30 days after the date of final publication of this notice. See 28 C.F.R. Section 9.3(a). The <https://www.forfeiture.gov/FilingPetition.htm> website provides access to a standard petition form that may be mailed and the link to file a petition online. If you cannot find the desired assets online, you must file your petition in writing by sending it to Assistant United States Attorney Mary Ellen Smyth, 11204 McPherson Road, Ste. 100A, Laredo, TX 78045. This website provides answers to frequently asked questions (FAQs) about filing a petition. You may file both a verified claim with the court and a petition for remission or mitigation.



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between September 18, 2020 and October 17, 2020. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. \$14,887 COVID TEST KITS

Court Case No: 5:20-CV-00153
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	09/18/2020	23.9	Verified
2	09/19/2020	23.9	Verified
3	09/20/2020	23.9	Verified
4	09/21/2020	23.8	Verified
5	09/22/2020	23.9	Verified
6	09/23/2020	23.9	Verified
7	09/24/2020	23.9	Verified
8	09/25/2020	24.0	Verified
9	09/26/2020	23.8	Verified
10	09/27/2020	23.9	Verified
11	09/28/2020	23.9	Verified
12	09/29/2020	23.9	Verified
13	09/30/2020	23.9	Verified
14	10/01/2020	23.9	Verified
15	10/02/2020	23.9	Verified
16	10/03/2020	23.9	Verified
17	10/04/2020	23.9	Verified
18	10/05/2020	23.9	Verified
19	10/06/2020	23.9	Verified
20	10/07/2020	24.0	Verified
21	10/08/2020	23.9	Verified
22	10/09/2020	24.0	Verified
23	10/10/2020	24.0	Verified
24	10/11/2020	23.9	Verified
25	10/12/2020	23.9	Verified
26	10/13/2020	23.9	Verified
27	10/14/2020	23.8	Verified
28	10/15/2020	23.9	Verified
29	10/16/2020	23.9	Verified
30	10/17/2020	23.8	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.